

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

ANTHONY TRUPIA,

Plaintiff,

v.

HERITAGE HARD ASSETS LLC, et al.

Defendants.

Case No. CIV-24-498-SLP

**ORDER**

This action was removed to federal court on May 15, 2024 by Defendant HLV Ventures LLC (HLV Ventures). *See* Notice of Removal [Doc. No. 1]. Thereafter, on May 22, 2024, HLV Ventures filed a Motion to Dismiss Plaintiff’s Complaint [Doc. No. 20]. HLV Ventures moves to dismiss on two grounds: (1) Plaintiff’s Complaint violates Rule 8(a)(2) of the Federal Rules of Civil Procedure; and (2) pursuant to Rule 12(b)(2) as personal jurisdiction does not exist over HLV Ventures.

On May 28, 2024, Plaintiff filed a document entitled: “Plaintiff’s Opposition to Motion to Dismiss, Motion for Expedited Discovery, and Motion to Remand [Doc. No. 29]. Plaintiff’s filing does not comply with LCvR 7.1(c) which provides:

Each motion filed shall be a separate document, except where otherwise allowed by law, these rules, or court order. A response to a motion may not also include a motion or cross-motion made by the responding party. If a party responding to a motion files a cross-motion or other closely-related motion concurrently with the filing of the response, the brief in support of the cross-motion or other closely-related motion may be combined with the responsive brief.


LCvR 7.1(c).

Here, Plaintiff's filing includes a response to HLV Venture's Motion to Dismiss. But it also includes two motions by Plaintiff, a motion to remand and a motion for expedited discovery. Thus, the filing violates Rule 7.1(c).

IT IS THEREFORE ORDERED that Plaintiff's Opposition to Motion to Dismiss, Motion for Expedited Discovery, and Motion to Remand [Doc. No. 29] is STRICKEN. The Court sua sponte grants Plaintiff a fourteen-day extension of time, or until June 28, 2024, to file a response to the Motion to Dismiss. And the Court sua sponte grants Defendant HLV Venture LLC seven days therefore, or until July 5, 2024 to file a reply in support of its motion to dismiss. Any additional relief requested by Plaintiff must be filed by separate motions.

IT IS FURTHER ORDERED that, in light of the above ruling, the following filings are STRICKEN: (1) Defendant HLV Ventures LLC's Reply Brief in Support of its Motion to Dismiss [Doc. No. 33]; (2) Defendant HLV Ventures LLC's Response in Opposition to Plaintiff's Motion to Remand [Doc. No. 35]; and (3) Defendant HLV Ventures LLC's Response in Opposition to Plaintiff's Motion for Expedited Discovery [Doc. No. 36].

IT IS SO ORDERED this 14th day of June, 2024.

  
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SCOTT L. PALK  
UNITED STATES DISTRICT JUDGE